

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NEW BALANCE ATHLETIC SHOE, INC.,

Plaintiff,

v.

CONVERSE INC.,

Defendant.

Civil Action No.: 14-cv-14715-NMG

SECOND JOINT STATUS REPORT

Plaintiff New Balance Athletic Shoe, Inc. (“New Balance”) and Defendant Converse Inc. (“Converse”) submit this joint status report pursuant to the Court’s Order dated February 18, 2015 (Dkt. Nos. 31, 32).

This is a declaratory judgment action filed by New Balance concerning Converse’s claims of trademark infringement related to certain design elements of its CHUCK TAYLOR ALL-STAR brand footwear. On February 18, 2015, this Court stayed the action during the pendency of a U.S. International Trade Commission (“ITC”) Investigation initiated by Converse. The ITC action is still on-going. The parties concluded a five-day evidentiary hearing on August 10, 2015. On November 17, 2015, Chief Administrative Law Judge Charles E. Bullock issued an Initial Determination. The parties thereafter cross-petitioned for review to the full ITC, which was accepted on February 3, 2016. The post-petition briefing is complete and under the present schedule a Final Determination from the ITC is due on or before April 4, 2016.

Dated: February 26, 2016

Respectfully submitted,

/s/ Mark S. Puzella

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document is being filed through the Court's electronic filing system on February 26, 2016, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Mark S. Puzella

Mark S. Puzella